

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                                  4:09CR3104  
                                )  
vs.                         )  
                               )  
MICHAEL STEVEN MITCHELL, )  
                               )  
Defendant.                 )

**ORDER**

IT IS ORDERED that:

- (1) The government's request for hearing (filing 56) is granted.
- (2) The hearing on the government's motion for reduction of sentence pursuant to Rule 35(b)(filings 50 and 58) has been scheduled before the undersigned United States district judge on Tuesday, October 30, 2012, at 11:30 a.m., in Courtroom No. 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- (3) At the request of the defendant through his counsel, the defendant will participate in the hearing by telephone.
- (4) **Defense counsel shall make the telephone arrangements with the Bureau of Prisons. Defense counsel shall then provide the undersigned's chambers with the contact information (including name and telephone number) of the Bureau of Prison's official the courtroom deputy should call the day and time of the hearing.**
- (5) The Marshal is directed not to return the defendant to the district.
- (6) The defendant is held to have waived his right to be present.

Dated October 17, 2012.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge